

**San Francisco Estuary Project
Implementation Committee Meeting**

May 4, 2007
Elihu M. Harris State Building
Oakland, California

DRAFT MEETING SUMMARY

1. Introductions/Approval of April 6, 2007 Meeting Summary

Tom Mumley, Chair of the Implementation Committee, called the meeting to order at 9:45 am and proceeded with a round table of introductions. The Meeting Summary for April 6, 2007 was approved with no corrections.

2. Public Comments

There were no public comments.

Tom Mumley provided a brief overview of the meeting agenda.

3. CCMP Steering Committee Report

Tom Mumley reviewed the Steering Committee materials, including the Revised Schedule for Approval Process, the Draft Media Strategy, and the Summary of Steering Committee Update issues. He noted the revised schedule called for an additional short meeting to be held at the August 3 CCMP Workshop. The Steering Committee recommended that IC members should have one more chance to review and approve the complete document.

Action: IC members approved the motion to add this meeting for review and approval.

In discussing the Media Strategy Marcia Brockbank said it provided limited media outreach including a media advisory for the August 3 workshop and combining additional outreach with the State of the Estuary Conference. Rick Morat stated a media advisory must emphasize the CCMP as a blueprint, a vision, and as a clear product of the Implementation Committee facilitated through work groups. Mike Connor asked why not organize a press conference on the Update with heads of Bay Area agencies and members agreed that Bay Area agencies would more likely be able to participate than the Executive Council members (Resources, Cal EPA, US EPA, US FWS). There was discussion but no agreement as to whether the media conference should follow Executive Council submittal/approval or be part of the SOE Conference.

Arthur Feinstein proposed that Implementation Committee members could call local newspaper editorial boards to get editorials printed. Forrest Williams stated Implementation Committee members and SFEP staff should begin talking now with environmental reporters to inquire how to make this a story you can bite on. Feinstein stated, decide on the 5 big/critical change priority issues and Implementation Committee members should call reporters they know. Anyone with good media contacts, or a good relationship with a reporter, please let Marcia Brockbank know.

Rick Morat stated it is important to push the success stories from 1993—dredging; a well-written Op-Ed piece by one of our champions would be newsworthy.

Mumley stated the Media Strategy would be revised to include these ideas. SFEP as an agency is setting out its priorities for the next 10 years of environmental stewardship. Steve McAdam stated 2 or 3 partners signing an OP-Ed piece would emphasize the collaborative nature of the project. Maxene Spellman felt it was important to highlight accomplishments. Mumley stated the update related directly to the SOE Conference; successes, challenges, vision for the future—also the theme of the Update.

Forrest Williams said a press conference or media event should be taped for web cam use by cities; all cities have channels and the web cast can be distributed to the cities for their channels and this would broaden outreach to local jurisdictions.

Action: Mike Connor made a motion to ask Lisa Owens-Viani to draft an Op-Ed piece for circulation to IC members. IC Approved.

Tom Mumley reviewed the Steering Committee progress on the Update Issues (Attachment D).

Rick Morat questioned if the Resolution will be circulated ahead of time. Brockbank stated it will be included in the June packet. Morat said the Schedule should be updated to strike-through completed items.

4. CCMP Update- Dredging and Waterway Modification

Steve Goldbeck and Max Delaney of BCDC provided an overview on this chapter. Goldbeck noted the focus in the original CCMP was managing dredging which has been undertaken by the LTMS and the focus of the updated chapter has been expanded to emphasize sediment management. The program managers of the LTMS, Bruce Wolfe (Water Board), Will Travis (BCDC), US EPA, and Lt. Col. Kiley (ACOE) oversee the dredging issues. Goldbeck presented the updated chapter at the April 13, 2007 annual meeting of the Dredged Material Management Office for public comment. The meeting is a day-long one on the status and vision for the LTMS program. There were many good comments on the CCMP update at the meeting and Delaney distributed a revised version incorporating those comments.

Goldbeck went through the chapter and summarized and explained the changes. He noted the focus in the problem statement is on beneficial reuse; getting sites online and affordability. Also global climate change will affect sediment management in the Bay. Revised regulatory documents are cited as well as discussion of transitioning from in-Bay disposal to ocean disposal while maximizing beneficial reuse. The goals of the LTMS program are included as well as program achievements. He focused on the new actions being added including more studies, modeling, science symposium; encouraging consistent permit conditions; "knockdowns" as a way to minimize dredging and impacts; trying to change the ACOE mandate from the "least cost option" requirement to the most environmentally beneficial; and the LTMS for the Delta.

General Questions

Barbara Kondylis questioned what was the outcome of the Alcatraz disposal site? Goldbeck replied there still is in-Bay disposal, the ACOE manages disposal at this site.

Barbara Salzman is concerned about diked baylands as upland disposal sites and she did not see this addressed in the update and would like it included.

Forrest Williams questioned what is the optimum profile for dredging? Goldbeck stated the LTMS does have a road map for determining; will clarify in document.

Beth Huning stated she did not see anything on monitoring of reuse sites for habitat, success, etc.

Luisa Valiela stated the Introduction does not include a Challenges section, which differs from the template for all the other chapters. The instructions for the Introduction layout were to include a section on Accomplishments/Successes and Challenges. Goldbeck said they will add a paragraph on Challenges. Arthur Feinstein reiterated there needs to be consistency in the chapter Introductions and Challenges.

Richard Looker explained the introduction is useful to direct the reader to new actions and to emphasize the new action areas of the update.

Maxene Spellman noted the OPC under the Marine Life Protection Act is raising money for mapping of the Bay floor.

Mike Monroe expressed concerns about the “completed” tags after items and felt they should be included in the introduction. Other members liked the earmarks and did not see them as inconsistent.

Beth Huning noted the performance measures are phrased as questions and this is different from the statements in other chapters.

Tom Mumley said Performance Measures will be consistent. Can make the question into a statement.

Specific Comments

Introduction

Ellen Johnck stated from the standpoint of the Bay Planning Coalition the LTMS has been a major success story for the CCMP. On page 4 she pointed out maintenance dredging is exempt from CEQA so that the reference to CEQA unnecessary.

Arthur Feinstein read in the paper that dredgers are dumping outside of the deep ocean disposal site and wondered how serious a problem this is; would like to see included in Challenges.

Forrest Williams felt the original paragraph #1 (now paragraph #3) under the Problem Statement is the key as to why dredging is a significant issue and would like this moved back to #1. He felt reordering loses emphasis.

Tom Mumley reminded Implementation Committee members that detailed comments must be submitted in writing to Brockbank and Goldbeck.

DW-1: No comments.

DW-2: Arthur Feinstein: Under DW-2.1 what is EFH? (Spell out acronyms)
Under 2.4 there is a difference in the Action and in the what; felt the action not clear as written. How high is ambient? Is ambient the right word? Felt Goldbeck’s explanation more clear than the action as written.

Jaime Kooser: Under DW-2.2 the “What” says Coordinate but there are no agencies listed in Who to explain with whom State Board should coordinate. Also there are no apostrophes in Control’s Board’s. It is a requirement State Board establish these objectives but “efforts” sounds weak. Tom Mumley recommended changing to “required efforts.”

Kooser also noted there is no Action DW-2.3.

Ellen Johnck: DW- 2.5: The Toxic Hot Spots Plan has already been developed. Need to talk about relationship between sediment quality data and toxic hot spots. Clarify not duplicating toxic hot spots plan, and check progress of plan in relation to dredging.

Forrest Williams: DW-1—Bullet 2—“sediment budget” --Need to define in Glossary.

DW-3

Arthur Feinstein—Under DW-3.8, is a single permit for all agencies being recommended? Goldbeck said no, only conditions for permits are to be standardized.

Steve McAdam noted that dredging is a single type of project and all participating LTMS agencies have adopted the same policy for permit review and adoption.

Rick Morat does not know what “Develop a system” means (Action DW- 3.8)—Alternate language by Tom Mumley suggested “Use procedural permit conditions to.....”

Maxene Spellman: Action DW-3.5 refers to “reference sites”; need to define reference sites.

Barbara Salzman: In Action DW-3.3; she wants reference to avoiding impacts to resources added to action. On Action 3.7 she wants language saying “ and provide for development of new regulatory and management policies...” following “Continue to implement...” On Action 3.9 she wants action to read “Continue to identify and evaluate....” and also reference habitat uses.

Ellen Johnck: On Action DW-3.1-Needs Assessment should address reason dredged channel is never at 35 feet even though 35 feet is authorized. BPC may have to request 37 feet dredged channel to get 35 feet. She would like additional language to identify Navigation Channel needs. On Action DW-3.3 “regulatory land use procedures” she does not know if regulatory applies.

DW-4

Arthur Feinstein: On Action DW-4.5-beach nourishment; needs to add “ and investigate the relationship between sand extraction and impacts on beach erosion.”

Rick Morat: On Action DW-4.4, he thought frequency of symposiums should be addressed; what is “regular”? On Action DW-4.5 are they calling for more pilot demos or operation? Answer: both.

Maxene Spellman: On Action DW-4.3 there needs to be a definition of DMMO in Glossary.

Mumley: Steering Committee will establish ground rules for acronyms.

Beth Huning: On Action DW-4.4, there is no What. Mumley: Action needs a simple explanation. Goldbeck will reword action to describe objective of action and include symposium in What.

Forrest Williams: On Action DW-4.4: Performance Measure needs to address how data would apply. Mumley—needs outcome indicator as well as output indicators.

Barabara Salzman: her issue on diked baylands as upland disposal sites could be added to 4.1 or 4.3.

Rick Breitenbach: Performance measures need to add consequence to resource as a result of the Action. The performance measures proposed demonstrate no consequences of dredged disposal.

Mumley: The outcome indicator should reflect no negative resource impact.

Ellen Johnck: Regarding impacts of dredged material, must look at how decisions on dredged material are made; should include review of thresholds and criteria. PAH level right? Not just windows. Need action items from the Science Symposium (Action DW-4.4).

Steve McAdam: Need to reference impacts of beneficial reuse of dredged material on wetlands—mercury, etc. Cross reference with other chapters (i.e., Wetlands) better.

Luisa Valiela: Action DW-4.5; is purpose to highlight Ocean Beach pilot project? The What needs more description; specifically needs to address timing, in perpetuity?

DW-5

DW-5.5: Need to define “cross-media”.

DW-5.4: Rick Morat: last line of the action needs to add “evaluate avoidance as well as potential mitigation measures.”

Goldbeck: Action 5.4 should include WAVE as well.

DW-5.3: Luisa Valiela: Need to verify cross reference to Wetlands chapter is still valid.

DW-5.4: Ellen Johnck: Need to add navigation channel deepening.

Goldbeck: Need to add new things on horizon.

Barbara Kondylis: Should investigate new European technology on shallow draft transports for offloading container cargo and transporting to shallow water ports instead of more dredging.

Beth Huning: Add Joint Venture to Who on DW-5.3.

Arthur Feinstein: Stockton Ship Channel deepening is an issue not talked about in the Updated Chapter. Need Action to investigate deepening of Baldwin Ship Channel.

Goldbeck: CCMP is broad enough to cover specific projects that come up; there is no need to address specific projects.

Barbara Kondylis: There needs to be a narrative to address beach erosion.

Goldbeck: Problem issues with sand erosion; relate to upstream diking; will add narrative to explain beach erosion.

DW-6

Rick Morat: Objective 6 says “Develop” Action DW-6.1 says “Continue to develop”—should be the same language in objective and action.

Mumley: Objective should read, “Establish”...Objective states what you want to accomplish; action carries out.

Barbara Salzman: Objective 6 and Action DW-6.1 needs more background; both in the chapter introduction and in the What.

Ellen Johnck: Performance Measures need work.

Mumley: Actions have not addressed cost. See template from Steering Committee meeting using icons. Noted RMP is referred to as Regional Board’s program; need to refer to RMP consistently in all chapters. Deal with in overall editing.

Barbara Kondylis: Must address replacing of dredged material.

Steve McAdam: Must refer to policy on impacts, e.g, submarine cable.

Action: Note: Short turn-around for comments; Due May 11—Contact Steve Goldbeck and Marcia Brockbank.

5. CCMP Update: Wetlands-Final Presentation

Mike Monroe stated Implementation Committee comments from the March 2 Meeting Summary as well as written comments received were addressed and the work group meeting summary of 03/30/07 (Attachment G) reflects the work group decisions on the comments.

Tom Mumley asked if there were additional comments before the call for approval.

Jaime Kooser stated SFBNERR was included inconsistently; sometimes spelled out, sometimes partially spelled out, sometimes only acronyms. She would prefer it spelled out throughout.

Maxene Spellman requested monitoring of clapper rail by the Invasive Spartina Project be added to the second paragraph on page 5 of the introduction. She also wants to add a sentence to the paragraph on page 7 that begins, "Another key issue..." She will send this sentence to the facilitators. She would like the Invasive Spartina Project added to the list of agencies on pg. 28.

Ellen Johnck stated several action items are under study by the Bay Planning Coalition and from a land owner's perspective, she cannot vote to approve. There is no definition of riparian area. She questioned if it is a regulatory term. Mike Monroe responded, it is a general scientific definition, not regulatory. Johnck stated she cannot support amendments to McAteer-Petris and will abstain from the vote.

Mumley asked if she would stand in the way of approval and she replied, no there is a process to address her concerns, but requested that her concerns be in the record.

Steve McAdam stated nothing has changed in McAteer-Petris.

Rick Morat asked if there was anything in writing the workgroup could not resolve. Luisa said they had to clarify acreage acquired, enhanced or restored; 67,000 acres since 1993 CCMP (number from Joint Venture).

Mike Monroe noted Jerry Bruns comment on clarifying appropriate agencies in Action 1.5 was addressed in the Who referring to the State and Regional Boards. Luisa stated there were comments received that the workgroup chose not to incorporate and this was reflected in the meeting summary.

Maxene proposed changing "riparian areas" in Action 1.5 to riparian corridors, but Luisa explained there is a problem with interpretation of corridors; it does not promote connectivity.

Action: It was moved and seconded to approve the updated Wetlands Chapter with the changes discussed. Motion Approved by majority. Ellen Johnck abstained.

6. CCMP Update: Pollution Prevention-Final Presentation

Richard Looker stated both Implementation Committee comments from the March 2 Meeting Summary as well as written comments received were addressed and the work group meeting summary of 04/18/07 (Attachment I) reflects the workgroup decisions on the comments.

Additionally he received emailed comments from Geoff Brousseau of CASQA (California Stormwater Agencies) this morning which Brousseau wanted addressed at the meeting since he was unable to attend. Comments as follows:

- 1) Strike stormwater BMPs from Control Strategies in table page 4 for Copper since specific BMPs are listed. **Approved**
- 2) Also under FOGS, delete stormwater BMPs. Since this was to address oil controls, list specific issue under fate and offer specific control strategy; Mike Connor: why not oil controls; automotive waste (as source); list a couple of specific BMPs.
- 3) On page 6 for trash add direct deposition, boats and ships under origin/sources. **Approved**
- 4) On page 7 same issue for Fogs as Group 1 table. Will handle the same way.
- 5) On page 12 change "contributor" to "conveyance." This stimulated a longer discussion. Luisa Valiela thought the language in this paragraph overly combative; suggested changing the "must" to "should." Forrest Williams stated the purpose is to increase financial resources and we need to find a way to convince society to increase financial resources. Tom Mumley will work with Looker to clarify agencies charged with the mandate to improve control of urban runoff must raise awareness of both the issue and the need to increase financial resources for these efforts. Let's solve the problem...this is what we need to do.
One problem is trying to solve the challenge in the Continuing Challenges paragraph. Perhaps it could just be emphasized there are currently inadequate resources to manage the urban runoff problems either at the source or at the discharge points. Again, Mumley will work with Looker to resolve this issue.

Action: It was moved and seconded to approve the updated Pollution Prevention chapter and resolving the language as discussed. Motion unanimously approved.

7. Final SFEP 2007-2008 Work Plan and Budget

Marcia Brockbank stated the budget has changed from what was sent in the packet, and updated copies were on the sign-in table. EPA is giving the NEPs an additional \$30,000 raising the base funding from \$ 388,000 to \$ 418,000. The budget also includes another EPA grant of \$250,000 for continuation of work on the Stream and Wetlands Protection Policy. Overall SFEP funding is now at \$ 7,700,000. Brockbank pointed out there is a new format for the Work Plan requested by EPA, to address actions by Core Elements (listed on page 5). She noted there is a new subtask 1.2 to pursue a special interest license plate to augment base funding.

Action: It was moved and seconded to approve the revised Work Plan and Budget and to forward it to the Executive Council for approval. Motion Approved.

8. SFEP Activities

Tom Mumley gave a brief report on the work of the Conference Coordinating Committee; the general theme is Celebrating Successes, Recognizing Challenges, and a Vision for the Future to sustain the Value of the Estuary. He gave a short overview of where the program is headed.

9. Items for June 1, 2007 Meeting

Final presentations and voting on Land Use and Watershed Management and Dredging and Waterway Modification; also review of Draft Resolution and introduction for revised CCMP. The meeting was adjourned at 1:00 pm.